

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ANDERSON/GREENWOOD DIVISION

Imani Aliyah Braswell	)	
also known as	)	
Cathy Kirkland Braswell	)	C.A. No. 8:17-3116-HMH-JDA
also known as	)	
Cathy Delores Kirkland,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	<b>OPINION &amp; ORDER</b>
	)	
Administrator Gillispie, Tim Eubanks,	)	
Lisa Gainey, Pam Byrd,	)	
Southern Health Partners, Veronica Deas,	)	
and Nurse Corey,	)	
	)	
Defendants.	)	

This matter is before the court with the Report and Recommendation of United States Magistrate Judge Jacquelyn D. Austin, made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02 of the District of South Carolina.<sup>1</sup> Imani Aliyah Braswell (“Braswell”), proceeding pro se, alleges a violation of 42 U.S.C. § 1983. Defendants Tim Eubanks, Lisa Gainey, and Administrator Gillispie filed a motion for summary judgment. Additionally, Defendants Pam Byrd, Nurse Corey, Veronica Deas, and Southern Health Partners filed a separate motion for summary judgment. In her Report and Recommendation, Magistrate Judge

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<sup>1</sup> The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the magistrate judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

Austin recommends granting Defendants' motions for summary judgment. (R&R 13, ECF No. 80.)

Braswell filed objections to the Report and Recommendation. Objections to the Report and Recommendation must be specific. Failure to file specific objections constitutes a waiver of a party's right to further judicial review, including appellate review, if the recommendation is accepted by the district judge. See United States v. Schronce, 727 F.2d 91, 94 & n.4 (4th Cir. 1984). In the absence of specific objections to the Report and Recommendation of the magistrate judge, this court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

Upon review, the court finds that Braswell's objections are non-specific, unrelated to the dispositive portions of the magistrate judge's Report and Recommendation, or merely restate her claims. Accordingly, after review, the court finds that Braswell's objections are without merit. Therefore, after a thorough review of the magistrate judge's Report and the record in this case, the court adopts Magistrate Judge Austin's Report and Recommendation and incorporates it herein by reference.

It is therefore

**ORDERED** that Defendants' motions for summary judgment, docket numbers 41 and 49, are granted.

**IT IS SO ORDERED.**

s/Henry M. Herlong, Jr.  
Senior United States District Judge

Greenville, South Carolina  
December 3, 2018

### **NOTICE OF RIGHT TO APPEAL**

Plaintiff is hereby notified that she has the right to appeal this order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.